

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for
 Failure to File the First Account or Petition for Final Distribution**

DOD: 2/6/2004	MARTIN WAYDE CHANEY and RHONDA ANN CHANEY MALEWSKI were appointed co-administrators with full IAEA authority and without bond on 10/12/2004.	NEEDS/PROBLEMS/COMMENTS: 1. Need inventory and appraisal, first account or petition for final distribution.
Cont. from 020714, 011515	Letters issued on 10/12/2004.	
Aff.Sub.Wit.	Inventory and appraisal was due March 2005.	
Verified		
Inventory	First account or petition for final distribution was due October 2005.	
PTC		
Not.Cred.		
Notice of Hrg	Creditor's Claims filed: U.S. Bank - \$1,778.52.	
Aff.Mail	Status Report of Martin Wade Chaney filed on 1/12/15 states the estate is not yet in a condition to close because 1) co-administrator Rhonda Malewski has not been cooperative in submitting and inventory and appraisal of the estate prior to 12/11/14. As a result of this lack of cooperation, the inventory and appraisal was submitted without her signature; 2) there is an issue of whether or not one or more documents are purported to be the last will of the decedent; 3) a determination what tax returns for the estate have been or need to be filed; and 4) and account to date has not been prepared.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202	It is estimated an addition 3-6 months may be necessary to close administration of the estate.	
Order		
Aff. Posting	Status Report of Rhonda Malewski filed on 1/12/15 states the administration of the estate is complicated by a number of factors, principally the lack of liquidity of the assets of the estate, which consists primarily of real property. Counsel understands that Martin Wade Chaney is agreeable to selling the real property. If such is the case, Counsel agrees that an additional 3-6 months may be necessary to complete the administration of the estate.	
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 1/13/15
		Updates:
		Recommendation:
		File 1 – Chaney

Order to Show Cause for Failure to Close the Estate

DOD: 5/3/2001		PATRICIA CURRY-TAYLOR was appointed Executor with full IAEA and without bond on 7/18/2006.	NEEDS/PROBLEMS/COMMENTS:
		Letters issued on 7/18/2006.	<ol style="list-style-type: none"> Inventory and appraisal, partial no. 1, filed on 9/4/14 was not signed by the probate referee as required. Inventory and appraisal, final, filed on 12/4/14 was not signed by the probate referee as required. Need inventory and appraisal (completed by the probate referee) and first account, petition for final distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from			
Aff.Sub.Wit.		Inventory and appraisal was due December 2006.	
Verified			
Inventory		First account or petition for final distribution was due September 2007.	
PTC			
Not.Cred.		Notice of Status Hearing was mailed to attorney Kyle Hackett on December 20, 2013.	
Notice of Hrg			
Aff.Mail		Inventory and Appraisal, partial no. 1. Filed on 9/4/14 show a value of \$140,034.22.	
Aff.Pub.			
Sp.Ntc.		Inventory and Appraisal, final, filed on 12/4/14 shows a value of \$165,768.59.	
Pers.Serv.			
Conf. Screen		Minute Order dated 12/4/14 states Mr. Hackett shows the Court a copy of the inventory and appraisal filed this morning. He represents that he can have the accounting completed in the next 60 days. The court issues and Order to Show Cause to Mr. Hackett and Patricia Curry-Taylor for failure to close the estate, as to why Ms. Curry-Taylor should not be removed as Executor and why sanctions should not be imposed. Both Mr. Hackett and Ms. Curry-Taylor are ordered to be personally present in court on 1/15/15.	
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice		Attorney Hackett was present in court on 12/4/14. A copy of the Minute Order was mailed to Mr. Hackett and Ms. Curry-Taylor on 12/5/14.	

Reviewed by: KT

Reviewed on: 1/13/15

Updates:

Recommendation:

File 2 - Hollier

DOD: 3-31-12		GREGORY TAYLOR , Executor with Full IAEA without bond, is Petitioner. Accounting is waived I&A: \$277,794.06 (Cash) POH: \$277,794.06 (Cash) Executor (Statutory): Waived Attorney (Statutory): \$8,555.88 Distribution pursuant to decedent's will, Article Fifth: Christopher Taylor: \$10,000.00 Jeffrey Taylor: \$5,000.00 Nicole Taylor: \$5,000.00 Gregory Taylor, Sr. \$249,238.18 Declaration of J. Todd Armas filed 10-15-14 states: <ul style="list-style-type: none"> Item 5(b) of the I&A should have been marked and the requirements of Revenue and Taxation Code §480 have been satisfied. Property taxes on the subject real property have been paid and are up to date. In fact, the home sold for \$350,000.00 on or about 8-14-14. On 8-23-04, the decedent and her spouse signed a trust that Attorney Armas prepared for them, which provides for a distribution identical to the distribution set forth in the decedent's will. Attached are the relevant sections of the trust and the will, confirming that the distribution is identical. Although the trust was prepared and signed, Joseph and Juanita Mason never transferred any assets into the trust; therefore, there are no trust assets. Distribution should be pursuant to Article Fifth of the decedent's will. The Probate Examiner also questioned the interest earned in the decedent's accounts. All of the accounts were consolidated into one interest-bearing account. The interest was used to help the executor pay property taxes and related costs to prepare house for sale. 	NEEDS/PROBLEMS/COMMENTS: Continued from 11-20-14. Nothing further has been filed. <u>SEE ADDITIONAL PAGES</u>
Cont from 112014			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg W		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters 11-9-12		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: skc
Reviewed on: 1-12-15
Updates:
Recommendation:
File 3 – Mason

NEEDS/PROBLEMS/COMMENTS:

1. The original Inventory and Appraisal filed 11-2-12 totaled \$504,522.95 as of the date of Decedent's death, 3-31-12, including the following:
 - \$204,522.95 cash including Western National Policy, four Morgan Stanley accounts, and a Golden 1 Credit Union account
 - Real property valued at \$300,000.00

The prior petition included the house as property on hand to be distributed; however, mention of preparation of the house for sale caused Examiner to check public real estate records, which indicated that the house was actually sold in August 2014. Attorney Armas' Declaration filed 10-15-14 confirms this information.

In addition, there was a question of whether the house was this decedent's community or separate property, because of Petitioner's confusing proposed distribution.

It was then determined that the same house, in its entirety, has also been inventoried as an asset of this decedent's spouse in the Estate of Joseph Mason 14CEPR00064.

Examiner Notes from the Third Amended Petition heard on 9-18-14 raised a number of issues in connection with the above information provided.

Now, Petitioner has filed an Amended Inventory and Appraisal that simply indicates \$277,794.06 cash and states: "The above sum represents the separate property of Juanita Mason. There is an additional \$277,794.06 that is assigned to the Estate of Joseph Mason as his community property interest and not subject to distribution by this estate."

This Amended I&A filed 10-15-14, with one line item of cash only, does not appear to be an accurate representation of the decedent's assets at her date of death. If Petitioner meant to clarify that the assets included on the prior I&A were community property of the decedent and her husband, this is not an appropriate way to do so. The Court may require clarification or further amended I&A.

2. If it is determined that the Amended I&A filed 10-15-14 is correct, need clarification as to how one lump sum of cash remained exactly the same from March 2012 to now, as Petitioner states that same amount is the amount of property on hand for distribution.

Alternatively, if it is determined that the house and accounts listed on the I&A were assets of the decedent's at her date of death, need further amended I&A and amended petition containing information regarding the changes in the forms of these assets per Cal. Rule of Court 7.550.

3. The above issues affect the calculation of statutory compensation.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS (Continued):

4. As previously noted, the decedent's will distributes her estate to the Mason Family Trust of 2004. Petitioner states that the trust was never funded; therefore, distribution should be made directly to heirs pursuant to Article Fifth of the decedent's will. Examiner Notes previously noted that the trust did appear to have been funded by the execution of Schedule A Transfer of Assets; therefore, distribution should be made to the Trust pursuant to Article Third of the Will, and a declaration pursuant to Local Rule 7.12.5 is needed.

Attorney Armas continues to assert his original position regarding the trust and requests distribution directly to the heirs; however, no authority is provided.

Examiner notes, also, that Article Fifth of the will does not appear to distribute directly to the heirs as requested; rather, it appears to create a testamentary trust based on the 2004 trust.

5. The decedent's husband, Joseph Mason, died 1-21-13. The original petition for final distribution in this estate was filed 1-23-14 and included a waiver of accounting signed by Cheryl Mason "Power of Attorney for Joseph Mason." A Power of Attorney does not have authority to waive accounting on behalf of a beneficiary; however, it appears this was previously overlooked among the myriad of other issues. At this time, Cheryl Mason (represented by Attorney Armas) is now the Executor of the Estate of Joseph Mason. Also, as a note: It does not appear that the I&A filed 2-25-14 in that estate, which includes the house and other accounts, has been corrected yet.

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 07/04/12		<p>WILLIAM MARTIN (MARTY) SHIBA, son, was appointed Executor with full IAEA and without bond on 03/28/13. Letters Testamentary were issued on 03/29/13.</p> <p>Inventory & Appraisal, final filed 07/15/13 - \$68,775.68</p> <p>Status Report filed 07/28/14 states: The office is currently in the process of preparing the petition and first account current in this matter. There is a Medi-Cal claim filed against the estate as well as a trust for this estate that is also considered in the estate plan. The executor and his attorney are currently in the process of completing negotiations and settlement of a dispute regarding the Medi-Cal claim. It is requested that this status hearing be continued for 45 days to allow time for the executor and his attorney to complete negotiations on the claim and to file the first account and report reflecting said negotiation and settlement.</p> <p>Status Report filed 09/16/14 states: the attorney is currently preparing the petition and first account current in this matter. There is a medi-cal claim filed against the estate as well as a trust for this estate that is also considered in the estate plan. The executor and attorney are currently working with the DHS regarding the claim filed by them in this matter. They are experiencing difficulties getting a timely response from the DHS regarding negotiations. An additional 90 day continuance is requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 09/17/14</u></p> <p>1. Need First Account/Report of Executor and Petition for Final Distribution <u>and/or</u> current written status report.</p>
Cont. from 053014, 063014, 073014, 091714			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: JF
Reviewed on: 01/12/15
Updates:
Recommendation:
File 4 - Shiba

DOD: 6-28-99			SCOTT BUSCH , Special Administrator of the Estate of Lila Busch, is Petitioner. 40 days since DOD No other proceedings I&A: \$35,000.00 (Decedent's one-half interest in real property located at 921 DeWitt in Sanger, CA) Decedent died intestate Petitioner requests Court determination that the real property passes to Petitioner as Special Administrator of the Estate of Lila Busch.
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	x	
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> This petition appears dependent on Petitioner being appointed as Special Administrator of the Estate of Lila Busch pursuant to the related petition at Page 11 of this calendar. <u>Note:</u> Page 10 is a related Petition to Determine Succession to Real Property for Decedent Lila Busch, which appears dependent on this petition being granted, as it passes the interest being passed here to her heir. <u>Note:</u> Per Attachment 14, Lila Busch (DOD 10-7-08) is the post-deceased spouse of this decedent. <u>Note:</u> Attorney is reminded to ensure that all double-sided documents are properly tumbled pursuant to Cal. Rule of Court 2.134. <ol style="list-style-type: none">1. Need appointment as Special Administrator of the Estate of Lila Busch. (See Page 11.)2. Need dates of death of all deceased relatives listed at Attachment 14 pursuant to Local Rule 7.1.1.D.
Reviewed by: skc
Reviewed on: 1-12-15
Updates: 1-13-15
Recommendation:
File 5 - Busch

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 01/18/14	SANDRA BROWN , named Executor without bond, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:
	Full IAEA – OK		
	Will dated 01/12/01		CONTINUED FROM 11/20/14 Minute Order from 11/20/14 states: Mr. Farmer is to file a Petition for a Lost Will.
Cont. from 080714, 100214, 112014	Residence: Fresno Publication: The Business Journal		
✓ Aff.Sub.Wit.		Estimated Value of the Estate: Personal property - \$ 50,000.00 Real property - 86,000.00 Total - \$136,000.00	As of 01/12/15 a Petition for Lost Will has not been filed and the following issues remain: 1. The petition states that the decedent's original will was lost as it could not be located after his death. Pursuant to Probate Code § 6124, there is a presumption that the testator destroyed the will with an intent to revoke it if the original is unable to be located after the testators death and the original will was last in the testators possession. Petitioner does not allege any facts rebutting the presumption that decedent destroyed the will with intent to revoke it. Need more information/evidence that the testator did not destroy the will with intent to revoke it. 2. The Letters are not dated. Need Letters that are signed and dated. 3. The Petition is incomplete at item 5(a)(7) or (8) regarding issue of a predeceased child. 4. The Petition indicates that two beneficiaries of the will, Paulette Hayes and Ezola Ridley, are deceased. Pursuant to Local Rule 7.1.1D - If a beneficiary, heir, child, spouse, or registered domestic partner in any action before the Probate Court is deceased, that person's date of death shall be included in the petition.
✓ Verified			
Inventory		Probate Referee: RICK SMITH	
PTC			
Not.Cred.		Declaration of Sandra Brown, filed 12/31/14 states: She knew Mr. Robinson as a father figure from the time she was 6 years old up until his death. He spoke to her a number of times regarding his estate and in 2010 he showed her and discussed his will and how he wanted his final arrangements organized. In 2011, he once again showed her the will that is attached to her Petition for Probate and stated that these were his wishes and that nothing is to be or would be changed.	
✓ Notice of Hrg			
✓ Aff.Mail	w/	Note: If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"> • Thursday, 06/11/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Thursday, 03/10/16 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required	
✓ Aff.Pub.			
Sp.Ntc.		Reviewed by: JF Reviewed on: 01/12/15 Updates: Recommendation: File 6 – Robinson	
Pers.Serv.			
Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Ex Parte Petition for Order Regarding Transfer of Money Belonging to Minor to Custodian Under the California Uniform Transfers to Minors Act [§3413]

		BRENDA C. LAING is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of Notice of Hearing on the minor Emily Elizabeth Laing and any other interested persons pursuant to Order dated 9-23-14. 2. This petition was filed as an "estate" matter titled with the decedent's name. However, it appears the title should be amended to reflect the minor's name, as it will govern access to her funds and is not connected with any probate estate matter for this decedent. The Court may order the title amended to: In Re: Emily Elizabeth Laing. 3. The Court may require further information regarding the estate of the decedent with reference to the use of CUTMA rather than establishing a guardianship estate (§3413). Is this the only asset that is expected to pass to the Emily? Is Petitioner aware of whether there will be any proceeding (probate or other) for the decedent's estate? 4. It is the policy of the Court to order funds placed into a blocked account for this type of petition, accessible upon the minor's 18 th birthday. Examiner has prepared the Order to Deposit Money Into Blocked Account (MC-355) for the Court's signature, if granted. 5. Need revised order to reflect deposit into blocked account and revised case title. 6. Additionally, if granted the Court will set a status hearing for the filing of the Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account (MC-356) as follows: - Thursday January 8, 2015 If the receipt is on file, the Court may take the matter off calendar.
Cont from 103014 <input type="checkbox"/> Aff.Sub.Wit. <input checked="" type="checkbox"/> Verified <input type="checkbox"/> Inventory <input type="checkbox"/> PTC <input type="checkbox"/> Not.Cred. <input type="checkbox"/> Notice of Hrg <input checked="" type="checkbox"/> x <input type="checkbox"/> Aff.Mail <input type="checkbox"/> Aff.Pub. <input type="checkbox"/> Sp.Ntc. <input type="checkbox"/> Pers.Serv. <input type="checkbox"/> Conf. Screen <input type="checkbox"/> Letters <input type="checkbox"/> Duties/Supp <input type="checkbox"/> Objections <input type="checkbox"/> Video Receipt <input type="checkbox"/> CI Report <input type="checkbox"/> 9202 <input checked="" type="checkbox"/> Order		Petitioner filed this Ex Parte Petition for Order Regarding the Transfer of Money Belonging to Minor to Custodian under the California Uniform Transfers to Minors Act on 9-22-14. On 9-23-14, the Court set the matter for hearing, with notice to be served on all interested parties. The order setting the matter for hearing was mailed to Petitioner on 9-26-14. Petitioner states she is the mother and custodial parent of minor EMILY ELIZABETH LAING . The estate consists of money in the sum of approx. \$17,000.00 of life insurance proceeds obtained from The Guardian Life Insurance Company of America, Group Plan No. xxx, purchased by the decedent's employer, The Fresno Rescue Mission. Emily is designated as the sole beneficiary. See attached. Probate Code §3413(b) provides that if there is no guardian of the estate, the Court may order that all or any part of the money be transferred to a custodian for the benefit of the minor under the California Uniform Transfers to Minors Act. Probate Code §3413(c) provides that if the money does not exceed \$20,000.00, the money may be held on any other condition that the court in its discretion determines to be in the best interests of the minor. It would be in the best interests of the minor to transfer the life insurance proceeds to Petitioner, her mother. Emily has at all times resided with Petitioner and Petitioner is in the best position to know the best interests of her daughter. Petitioner respectfully requests that the Court use its discretion to order the transfer of the life insurance proceeds in the approximate amount of \$17,000.00 to Petitioner Brenda C. Laing as custodian for the benefit of the minor Emily Elizabeth Laing. Attached are the decedent's death certificate and a copy of the life insurance designation form naming Emily as beneficiary.	
<input type="checkbox"/> Aff. Posting <input type="checkbox"/> Status Rpt <input type="checkbox"/> UCCJEA <input type="checkbox"/> Citation <input type="checkbox"/> FTB Notice		Reviewed by: skc Reviewed on: 1-12-15 Updates: Recommendation: File 7 – Leiker	

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 2-2-14		RUTH ORONA , Daughter, and CALIFORNIA BAPTIST FOUNDATION , are Petitioners. 40 days since DOD I&A: \$100,000.00	NEEDS/PROBLEMS/COMMENTS: 3. The original will has not been deposited with the Court pursuant to Probate Code §8200. 4. The decedent's will is undated and is not self-proving. The Court may require Proof of Subscribing Witness (DE-131). 5. The decedent's will appears to devise her real property in its entirety to her daughter Ruth Orona. Although the will provides precatory direction as to how the proceeds, once the property is sold, should be distributed, a summary proceeding such as this can only pass the real property to the proper successor in interest, which is Ruth Orona only. Need authority for order as requested.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Will dated "February __, 2010" states: "To Ruth Orona my daughter, I give my real property located at 4776 E. Thomas Street in the county of Fresno, state of California, more particularly described as follows: [See will]. After the sale of the house, a trust fund will be established by the California Baptist Foundation., 20% of the sale of said property will be given to whomever, as determine by the Executor, as long as it is to enhance the Kingdom of God in Hispanic Ministries." Petitioners request Court determination that the real property passes 80% to Petitioner Ruth Orona and 20% to California Baptist Foundation.	
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: skc			
Reviewed on: 1-12-15			
Updates:			
Recommendation:			
File 8 - Bernal			

Atty Rindlisbacher, Curtis D. (for Paul Carreiro and Donna Carreiro – sister & brother-in-law/Petitioners)
 Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C.
 1820, 1821, 2680-2682)

Age: 59		<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:	
		<p>DONNA CARREIRO and PAUL CARREIRO, sister and brother-in-law, are Petitioners and request that the PUBLIC GUARDIAN be appointed as Conservator of the Person and Estate without bond.</p> <p>Estimated Value of the Estate: Personal property - \$2,500.00</p> <p>Petitioners state that the proposed conservatee suffers from mental health issues and is unable to keep her home properly clean and in a liveable state. Petitioners believe that the proposed conservatee's health is good other than her mental health issues. Petitioner state that the proposed conservatee will not seek help for her mental health problems and refuses to take the medication that is prescribed to her due to irrational beliefs. The proposed conservatee lives alone in a home presently owned by her father's trust, she is also the beneficiary of her father's trust as well as an IRA. A family friend currently delivers groceries to the proposed conservatee. Petitioners also state that the proposed conservatee will give away money despite her own needs and that she is eligible for Medi-Cal and social security disability but is not capable of completing the applications and obtaining the necessary doctor's reports due to her mental health issues.</p> <p>Court Investigator Dina Calvillo filed a report on 01/12/15.</p>		Proposed Conservatee has not been advised of her rights.	
				1. Need Letters.	
Cont. from				Note: If the petition is granted status hearings will be set as follows:	
<input type="checkbox"/>	Aff.Sub.Wit.				
<input checked="" type="checkbox"/>	Verified				
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.				
<input checked="" type="checkbox"/>	Notice of Hrg				
<input checked="" type="checkbox"/>	Aff.Mail			w/	
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input checked="" type="checkbox"/>	Pers.Serv.			w/	
<input type="checkbox"/>	Conf. Screen			n/a	
<input type="checkbox"/>	Letters			x	
<input type="checkbox"/>	Duties/Supp			n/a	
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt			n/a	
<input checked="" type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
<input type="checkbox"/>	UCCJEA				
<input checked="" type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice				
		<p>Reviewed by: JF</p> <p>Reviewed on: 01/13/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9 - Skopec</p>			

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 10-7-08		SCOTT BUSCH , Son, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Lila Busch is the post-deceased spouse of Christian Busch. It appears this petition is dependent on Petitioner being appointed as Special Administrator of the Estate of Lila Busch pursuant to the related petition at Page 11 of this calendar in order to pass Decedent Christian Busch's one half interest in the real property to the Special Administrator of the Estate of Lila Busch at Page 5 of this calendar. 6. The original will has not been deposited with the Court pursuant to Probate Code §8200. 7. Need I&A pursuant to Probate Code §13152(a)(2). <u>Note:</u> An I&A reflecting the decedent's 100% interest in the real property as of her date of death at \$125,000.00 was filed into Case 14CEPR01085 connection with Petitioner's Petition for Appointment as Special Administrator (Page 11); however, it appears that I&A would have been more appropriately filed in this matter. 8. Need dates of death of all deceased relatives listed at Attachment 14 pursuant to Local Rule 7.1.1.D. <u>Note:</u> Attorney is reminded to ensure that all double-sided documents are properly tumbled pursuant to Cal. Rule of Court 2.134. Reviewed by: skc Reviewed on: 1-12-15 Updates: 1-13-15 Recommendation: File 10 - Busch
		40 days since DOD	
		No other proceedings	
	Aff.Sub.Wit.	I&A: Need	
✓	Verified		
	Inventory	x	
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Special Administration without General Powers without Probate

DOD: 10-7-08		SCOTT BUSCH , Son, is Petitioner and requests appointment as Special Administrator with Full IAEA without bond. Petitioner does not state a reason for special administration. There is no Attachment 3f(3). Full IAEA – requires publication Will dated: 11-13-07 Residence: Sanger, CA Publication: need publication for IAEA Estimated value of estate: Real property: \$125,000.00 Probate Referee: Steven Diebert (I&A was filed with petition)	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Attorney is reminded to ensure that all double-sided documents are properly tumbled pursuant to Cal. Rule of Court 2.134. <u>Note:</u> Page 10 is a related Petition to Determine Succession to Real Property for this decedent. 9. Need Confidential Supplement to Duties and Liabilities of Personal Representative DE-147S. 10. Petitioner does not state the grounds for appointment of a Special Administrator pursuant to #3f(3). Need clarification pursuant to Probate Code §8540(b). <u>Note:</u> Although this petition appears to relate to separately filed other matters, the information should be stated in this petition. 11. Petitioner requests authority under IAEA; however, such authority would require publication. Need clarification. 12. Need dates of death of all deceased relatives listed at #8 pursuant to Local Rule 7.1.1.D, including the deceased spouse and children of this decedent. 13. Need revised Order specifying the powers of the Special Administrator at Attachment 3d(2) pursuant to #4 above. 14. The Court may require clarification regarding anticipated time frame for the Special Administrator to complete the necessary actions as specified pursuant to #4 above for purposes of specifying an expiration date.	
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<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Atty Kruthers, Heather H. (for Public Guardian – Petitioner)

Atty Bagdasarian, Gary (Court appointed for Proposed Conservatee)

Atty Petty, Teresa (for Objector Anna Young)

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C.
1820, 1821, 2680-2682)

			TEMP EXPIRES 1-15-15	NEEDS/PROBLEMS/COMMENTS:
			PUBLIC GUARDIAN is Petitioner and requests appointment as Conservator of the Person with medical consent powers under Probate Code §2355 and as Conservator of the Estate.	Court Investigator advised rights on 1-7-15
			Voting rights affected	Voting rights affected – need minute order
			A Capacity Declaration was filed 12-16-14.	<u>Minute Order 12-16-14 (Temp) (Judge Cardoza):</u>
			Estimated value of estate:	Also present with Ms. Kruthers is Anita Harper. Ms. Petty is appearing as counsel for Anna Lisa Young who is objecting to the petition. Ms. Petty is directed to submit written objections. The Court appoints Mr. Bagdasarian as counsel for Raymond Pirie. The Court makes the following temporary order: Anna Lisa Young is ordered not to have any direct or indirect contact with Raymond Pirie. The temporary is extended to 1/15/14. All orders remains in full force and effect. The General Hearing remains set for 1/15/15. Temporary Letters extended to 1/15/15. All other orders remain in full force and effect.
	Aff.Sub.Wit.		Personal property: \$583,456.21	
✓	Verified		Annual income: Unknown	
	Inventory		Petitioner states the proposed Conservatee is a victim of isolation. His agent under a Power of Attorney, Anna Young, has informed the care facility where he lives not to let him make a phone call without her prior authorization or let him leave the facility. Recently, Mr. Pirie was hospitalized after losing consciousness, and Ms. Young directed the owner of the care home to never have him sent to the hospital again. She said to call her and she will take him home to watch him. Mr. Pirie has reported to many agencies, including the Public Guardian, that he no longer wants to have Ms. Young act as his agent. Based on this consistent allegation, the Public Guardian asked Attorney Gary Bagdasarian to meet with Mr. Pirie to determine if he had capacity to change his POA. Mr. Bagdasarian found that he did, so he assisted him in preparing a revocation of the POA. Mr. Pirie's only living relative is an estranged granddaughter and there is no one other than the Public Guardian to step in to ensure his safety and health.	
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✓	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 1-13-15
	UCCJEA			Updates:
✓	Citation			Recommendation:
	FTB Notice			File 12 - Pirie
			Court Investigator Samantha Henson filed a report on 1-9-15.	
			<u>SEE ADDITIONAL PAGES</u>	

Page 2

Anna Young, Niece, filed Objections on 1-9-15. Objector states she and the proposed Conservatee recently moved from the State of Iowa to Fresno, California. The purpose of moving was to provide Mr. Pirie with a larger network of support than he had in Iowa. Objector has been his live-in care provider since July 2010 when she moved at his request from California to Iowa to assist him.

Mr. Pirie lacks the requisite capacity to make any legal, business, financial, or medical decisions on his own. The Public Guardian's office must agree, as they filed for conservatorship. Objector challenges the recent revocations of the November 13, 2012 documents due to capacity. He resided at Regency Park Nursing and Rehabilitation Center in Jefferson, Iowa from August 2014 to Sept. 29, 2014, and medical staff there determined him to have "Severe Impairment," including delirium, impulsive behaviors, and requiring lock-down for his safety.

Ms. Young is concerned about Mr. Pirie's current living arrangement and states that since he has been at Sunshine Home, he has suffered multiple medical events. Objector has reason to believe the staff used medication to restrain and restrict him, resulting in a hospital stay only two days after executing the revocations. Medical records will show that he has a history of confusion which is understandably aggravated by infections, medications, and coercion by others. Ms. Young believes claims made by Omid Babakanifar are a result of her questioning Mr. Pirie's care and threat to move him from the facility for lack of quality care.

Objector states many of the facts supporting the petition are simply false. For instance, the petition states Objector is Mr. Pirie's son's former girlfriend, when in fact she is his great niece by marriage.

The petition states Ms. Young isolated Mr. Pirie by not allowing him to engage in phone calls and preventing him from leaving the Sunshine Care Home. Sunshine Care Home is owned and operated by Evelyn and Omid Babakanifar and is a lock-down facility for patients with dementia. The facility was chosen by Ms. Young because the owners assured her it would be a safe environment for her uncle. This is for medical necessity, not isolation.

Ms. Young states Mr. Pirie has a history of alcoholism and gambling addiction, and is vulnerable due to his weakened and confused mental state. He also has a history of being a very generous man. In Iowa, Ms. Young was concerned that he was taken advantage of, and as a result, Ms. Young was protective and mindful of who was spending time with him. It is Petitioner who has isolated Mr. Pirie from Ms. Young, the person who has cared for him for the past five years.

Objector states the petition alleges that she has made statements that he lacks funds to pay for what he needs. The truth is that Objector questioned the residential facility regarding the cost of additional supplies out of concern. Ms. Young was being responsible with his resources and making sure he was not being overcharged by the facility. She contracted with the facility for \$150/month for those services, and also maintains a stock of supplies and incidentals to supplement those provided by the facility.

SEE ADDITIONAL PAGES

Page 4

Objector states (Cont'd): The petition states Objector told the facility not to take Mr. Pirie to the hospital. The truth is, after two back-to-back hospital visits, Ms. Young was advised by Dr. Osbourn of Clovis Community Hospital that the facility had unnecessarily called 911 and had Mr. Pirie taken to the emergency room. Due to his mental state, Mr. Pirie was traumatized by the hospital and emergency environment and advised Mr. Young to minimize future trauma by bringing him to the hospital herself, if at all possible. As a result, she instructed the facility to call her before calling 911.

Objector has never taken or abused any finances of the proposed Conservatee. It is true that many large expenses have been paid out of his account, but these costs are directly related to the move to California. In addition, the Wells Fargo joint account holds over \$20,000 in Objector's personal funds. Prior to their move to California, she was advised by the local bank in Iowa to remove all funds from both of their accounts and deposit them into an account with a larger banking institution with branches in Iowa in California.

Objector sought legal advice from Michael Mumma, Mr. Pirie's attorney in Iowa, regarding the move and handling of accounts. Once in Fresno, Objector sought legal representation with Attorney Jeffrey Pape to obtain clarification of the ownership of the accounts to avoid any appearance or allegations of inappropriate handling of Mr. Pirie's finances. Adjustments to the ownership of the accounts were made after consulting with the California attorney.

Objector states the proposed Conservatee has lacked capacity to handle his own finances for several years. In August 2014, his mental state digressed further due to medical crisis. Objector has many of the receipts and records for expenses for all of the years she has been living with and assisting him.

Objector states there are many other inconsistent statements and misrepresentations made throughout the request for conservatorship. Objector believes the petitions should be denied and she should be reinstated s attorney in fact and agent for health care, or in the alternative, a contested hearing should be set to expose the truth and make a fair determination as to what is truly in Mr. Pirie's best interest.

Objector requests that:

- 1. The petitions of the Public Guardian be denied; and**
- 2. The revocation of Raymond Pirie's Power of Attorney and Durable Power of Attorney for Health Care Matters be rendered void;**

Or in the alternative that:

- 1. A contested hearing regarding the conservatorship of the person and estate be set out at least 60 days to allow the parties to engage in discovery and obtain vital records, documents and information held in the State of Iowa; and**
- 2. Other relief be granted that the Court considers proper.**

Note: If granted, the Court will set status hearings as follows:

- Thursday, June 18, 2015 for the filing of the Inventory and Appraisal**
- Thursday, June 16, 2016 for the filing of the First Account Current.**

If the proper items are on file prior to the status hearing dates.

Probate Status Hearing RE: Proof of Increased Bond

			<div>NEEDS/PROBLEMS/COMMENTS:</div> <div><u>OFF CALENDAR</u></div> <div>Increased bond was filed 12-31-14.</div>
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
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	Objections		
	Video Receipt		
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	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 1-12-15
			Updates:
			Recommendation:
			File 13 - Adona

DOD: 4-4-12 Cont from 082313, 101113, 121313, 021414, 041514, 061714, 090414, 011515	<p>LOUIS WAYNE WIEBE, Son, was appointed Executor with Full IAEA without bond and Letters issued on 6-25-12.</p> <p>On 6-25-13, the Court set this status hearing for the filing of the first account or petition for final distribution.</p> <p>Status report filed 6-16-14 states the estate has been liquidated and is in a position to close. However, to creditors of the estate have issued a form 1099-C, cancellation of debt for 2013, even though the estate has not closed. The attorney contacted the claimants to determine if the 1099-C is intended as a waiver of their claims against the estate and both confirmed. However, the issuance of the 1099-C forms causes implications that were not anticipated, and the cancellation of debt results in taxable income of \$15,562.97 for the estate and a return will need to be filed for calendar year 2013. Therefore, additional time is needed.</p> <p>Status report filed 9-3-14 states the cancellation of indebtedness resulted in taxable income for 2013 requiring income tax return for the estate. Additional time is needed to complete and file the proper fiduciary income tax returns. The estate will likely be closed as an insolvent estate. Mr. Simonian will attend the hearing.</p> <p>Status report (unverified) filed 11-5-14 by Attorney Simonian states he is in the process of preparing a list of assets on hand, administration expenses that have not been paid, a calculation of the amount of statutory and extraordinary fees for the personal representative and attorney, and a proposed allocation for the payment of the remaining estate pro rata to the general creditors. Mr. Simonian will attend the hearing on 11-6-14 and can address additional questions at that time.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 11-6-14: The Court grants one last continuance for status on this matter. If the Petition is not filed prior to the next hearing, then Louis Wiebe must be present on 1/15/15. Continued to: 01/15/15</p> <p>As of 1-12-15, nothing further has been filed.</p> <p>Note: I&A filed 11-27-12 indicates a total estate value of \$208,915.73 consisting of cash and various real and personal property.</p> <p>Note: There are four (4) separate creditor's claims filed in this estate.</p> <ol style="list-style-type: none"> 1. Need first account or petition for final distribution or verified written status report pursuant to Local Rule 7.5. 2. Need proof of service of Notice of Hearing on Wells Fargo Card Services per Request for Special Notice filed 6-5-12. 																																																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50%;">Aff.Sub.Wit.</td><td style="width: 50%;"></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	Aff.Sub.Wit.		Verified		Inventory		PTC		Not.Cred.		Notice of Hrg		Aff.Mail		Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		CI Report		9202		Order		Aff. Posting		Status Rpt		UCCJEA		Citation		FTB Notice		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Reviewed by: skc</td></tr> <tr><td>Reviewed on: 1-12-15</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 14 – Wiebe</td></tr> </table>		Reviewed by: skc	Reviewed on: 1-12-15	Updates:	Recommendation:	File 14 – Wiebe
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File 14 – Wiebe																																																					

DOD: 02/14/12		RICHARD DEWAYNE PHILLIPS , father, was appointed Administrator with Full IAEA and without bond on 12/04/12.	NEEDS/PROBLEMS/COMMENTS:
		Minute Order from hearing on 12/04/12 set this matter for status regarding filing of the Inventory & Appraisal.	CONTINUED FROM 07/25/14
Cont. from 042613, 072514		<p>Status Report filed 01/08/15 by Richard Dewayne Phillips, states: On 04/15/13, Petitioner, in his capacity as personal representative of decedent's estate, filed a complaint against the County of Fresno and other defendants in United States District Court, Eastern District of California, alleging violation of the decedent's civil rights. The lawsuit is based on the fact that decedent was murdered while in custody of Fresno County. The complaint was filed by Anthony Boskovich, Esq. of the Law Office of Anthony Boskovich in association with the law firm of Bode & Grenier, LLP. On 06/11/13, the County of Fresno filed a Motion to Dismiss the lawsuit. On 12/03/13, the Court granted the motion in part and denied the motion in part. On 12/13/13, the parties appeared before the Court for a scheduling conference. At that time, the lawsuit was set for jury trial on 02/24/15. On 12/31/13, Petitioner filed a First Amended Complaint against all defendants, including the County of Fresno. On 07/14/14, the parties submitted a stipulation modifying the Court's prior scheduling order. Under the terms of the stipulation, trial has been continued to 06/23/15. The defendants hired attorney James D. Weakley and James Arendt on 07/24/14. On 10/16/14 the trial court entered an order extending discovery deadlines through 03/12/15. At this time there are no assets in the Decedent's estate except for the causes of action currently being litigated in federal court. Petitioner requests the Court set a further status conference in August or September 2015.</p> <p>Order Approving Contingency Fee Agreement was filed 08/15/13.</p>	<p>1. Need Inventory & Appraisal.</p>
Aff.Sub.Wit.			
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Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: JF
Reviewed on: 01/12/15
Updates:
Recommendation:
File 15 – Phillips

16 Randy A. Jean (Estate)
Atty Winter, Gary L (for Terri Jean – Administrator)
Atty Roberts, Gregory J. (for Randy Jean – Objector)

Case No. 13CEPR00774

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Off Calendar.</u> <u>Status Hearing for the filing of the Inventory and Appraisal and the First Account is set for 03/02/2015 per Minute Order of 01/12/2015.</u></p>
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UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: LV</p> <p>Reviewed on: 01/13/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 - Jean</p>

		Petition for Order Approving Stipulation for Settlement; for Appointment of Successor Trustee of Bypass Trust (Trust B); and for Order Modifying Terms of Irrevocable Trusts was heard on 12-11-14.	NEEDS/PROBLEMS/COMMENTS:
		Minute Order 12-11-14: Marian Austin is appointed as Successor Trustee, without bond. Ms. Burnside will prepare an order. The Court is approving the Stipulation to Settlement filed on 9-15-15. Parties state their agreement to the following in open court: See minute order for details.	
Aff.Sub.Wit.		Order After Hearing was signed 1-5-15.	
Verified			
Inventory		Status Report filed 1-9-15 by Attorney Burnside states Trustee Jeffrey Boyajian issued instructions to Wells Fargo Advisors to initiate the transfer of certain Franklin Fund securities to the existing Bypass Trust account. Mr. Boyajian issued those instructions by the contemplated date of 12-16-14. The attorney understands that the securities have been transferred to the Bypass Trust Account. Additionally, on 12-31-14, Mr. Boyajian released the required income distribution checks to Andrew Boyajian Branche, Cody Branche Boyajian, and Alan Boyajian Branche. Also that day, Petitioner Phyllis K. Branche delivered to Ms. Burnside's office her payment of \$20,331.55 to Mr. Boyajian.	
PTC			
Not.Cred.		At this time, the terms of the settlement that remain to be performed are the scanning and dissemination of the family photographs, and the retrieval of personal property items. Respondents Mr. Boyajian and Ms. Courtis are waiting for Ms. Branche to deliver scanned copies of the photographs in her possession to Ms. Courtis. She has until 3-31-15 to do so. In turn, Ms. Courtis has until 12-31-15 to complete the scanning of all other Boyajian family photographs in her possession, and deliver same, to Ms. Branche.	
Notice of Hrg			
Aff.Mail		Likewise, the parties have until 3-31-15 to complete the distribution and retrieval of personal property.	
Aff.Pub.			
Sp.Ntc.		Once the Order After Hearing is signed the by the court, the newly appointed successor trustee of the Bypass Trust, Marion Austin, can begin administering the trust for the benefit of Ms. Branche's three sons.	
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Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Status Hearing Re: Filing of Bond

DOD: 09/23/2014		<p>HEATHER L. AGUIRRE, daughter was appointed Administrator with full IAEA authority and bond set at \$352,000.00.</p> <p>Minute Order of 12/18/2014 set this matter for Status Hearing regarding the Filing of the Bond.</p> <p>Declaration of Natalie R. Nuttall filed 01/09/2015 states on 01/09/2014, a Fresno County Legal runner service attempted to file the original bond at the Probate Clerk's office. However, the runner service informed Attorney Nuttall that the Probate Clerks refused to accept and file the bond, as it does not have a "raised seal," and as such, could not accept the submission as the "original" bond. Attorney Nuttall contacted the insurance agent who secured the bond, through CNA Surety Bond Company. He informed Attorney Nuttall that the bonds have an "imbedded seal," which has been approved and accepted by California Courts, and as the product of CAN Surety's online bond system.</p> <p>Attorney Nuttall respectfully requests, by way of this Declaration, that the Court accept the original bond, with her client's original signature, attached hereto as Exhibit "A".</p> <p>Attorney Nuttall states that in August of 2014, this Court's probate clerk's office did in fact accept for filing a conservatorship bond (also issued through CNA Surety), with the same embedded seal, as the "original." See Fresno County Court Case No. 13CEPR000207 (which also involves the same parties as the instant matter.)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Proof of Bond to be filed in the amount of \$352,000.00 pursuant to Probate Code §8480.</p> <p>2. Need New Letters.</p> <p>Note: Letters issued on 12/22/2014 were stricken as the proof of bond has not been filed.</p>
Cont. from			
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Objections			
Video Receipt			
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Status Rpt			
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Citation			
FTB Notice		<p>Reviewed by: LV</p> <p>Reviewed on: 01/13/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 – MacMurray</p>	

Petition for Transfer

Age: 54 years		JULIE MARIE CONROY was appointed conservator on 8/17/2005.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Court Investigator Jennifer Young filed a Petition for Transfer on 11/25/14 requesting this proceeding be transferred to Merced County because the conservatee has resided there for over one year and it is presumed pursuant to Probate Code §2215 that transfer of the conservatorship case to the county of residence is in the best interests of the conservatee.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Court Investigator further recommends that the fees and costs related to this transfer be waived.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
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<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		Reviewed by: KT
<input type="checkbox"/>	Status Rpt		Reviewed on: 1/13/15
<input type="checkbox"/>	UCCJEA		Updates:
<input type="checkbox"/>	Citation		Recommendation:
<input type="checkbox"/>	FTB Notice		File 19 - Conroy

Age: 49 years		ARMENTA BURRIS , sister, was appointed conservator on 8/17/2005.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Court Investigator Jennifer Young filed a Petition for Transfer on 11/25/14 requesting this proceeding be transferred to Tulare County because the conservatee has resided there for over five years and it is presumed pursuant to Probate Code §2215 that transfer of the conservatorship case to the county of residence is in the best interests of the conservatee.	In reviewing the file for this hearing examiner discovered that on 3/12/2010 the court approved a Petition for Authority to Deposit Sale Proceeds [from the sale of real property] into a Pooled Special Needs Trust with changes to the Master Trust that were agree upon the record by Ms. Ratzlaff. The order was to be signed ex parte. No order is in the file allowing the funds to be placed into a pooled special needs trust. There is a receipt filed on 7/29/2009 showing that the proceeds of the sale of the real property [\$54,793.10] were placed into Attorney Ratzlaff's Attorney-Client Trust account. Prior to transferring this matter the court may want to inquire about the status of the funds and the special needs trust.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Court Investigator further recommends that the fees and costs related to this transfer be waived.	
<input type="checkbox"/>	Inventory		
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<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 1/13/15
			Updates:
			Recommendation:
			File 20 - Lee

Darnell, 15	SHANITA M. WHEELER, mother, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: If the Petition goes forward, the following items need attention: 1. Need <i>Notice of Hearing</i> . 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Martha Walker – maternal grandmother/Guardian b. Darnell Cook, Sr. – father c. Darnell Cook, Jr. – minor d. Tyquil Cook – minor e. Paternal grandparents f. Kim Johnson, Sr. – maternal grandfather
Tyquil, 13	MARTHA WALKER, maternal grandmother, was appointed as guardian of the minors on 06/29/09.		
Cont. from	Father: DARNELL COOK, SR.		
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandparents: NOT LISTED		
<input checked="" type="checkbox"/> Verified	Maternal grandfather: KIM JOHNSON, SR.		
<input type="checkbox"/> Inventory	Petitioner requests that the guardianship be terminated. [No reason stated]		
<input type="checkbox"/> PTC	Court Investigator Samantha Henson filed a report on 01/09/15.		
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 01/13/15
			Updates:
			Recommendation:
			File 21 - Cook

22 Eric Adam Garcia (GUARD/P)
Atty Jimenez, Elizabeth (Pro Per – Aunt – Petitioner)
Atty Jimenez, Mary (Pro Per – Aunt – Petitioner)

Case No. 12CEPR00318

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 5		<u>TEMPORARY EXPIRES 10/30/14</u>		NEEDS/PROBLEMS/COMMENTS:	
		ELIZABETH JIMENEZ , Maternal Aunt, and MARY JIMENEZ , Maternal Grandmother, are Petitioners.		<u>CONTINUED FROM 10/30/14</u> Minute Order from 10/30/14 states: Mother is to provide the Clerk's office with her address. The mother is not in favor. The Court dispenses with further notice as to father. Mediation today at 10:30am regarding visitation. 1. Need Notice of Hearing. 2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the <i>Petition for Appointment</i> of <i>Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Jerry Garcia (father) – personal service required, unless diligence is found b. Esmerita Jimenez (mother) – personal service required, unless diligence is found c. Paternal grandparents (unknown) – service by mail sufficient	
		Father: JERRY LESLIE GARCIA - Declaration of Due Diligence filed 9-5-14 Mother: ESMERITA JIMENEZ - Declaration of Due Diligence filed 9-5-14			
		Paternal Grandfather: Unknown Paternal Grandmother: Unknown			
		Maternal Grandfather: Manuel Jimenez, Jr. – Consent & Waiver of Notice filed 09/05/14			
		Siblings: Ricki Renee Garcia, Richard Garcia – Consent & Waiver of Notice filed 09/05/14			
Cont. from 103014					
<input type="checkbox"/>	Aff.Sub.Wit.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Verified	<input type="checkbox"/>			
<input type="checkbox"/>	Inventory	<input type="checkbox"/>			
<input type="checkbox"/>	PTC	<input type="checkbox"/>			
<input type="checkbox"/>	Not.Cred.	<input type="checkbox"/>			
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>			
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>			
<input type="checkbox"/>	Pers.Serv.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Conf. Screen	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Letters	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Duties/Supp	<input type="checkbox"/>			
<input type="checkbox"/>	Objections	<input type="checkbox"/>			
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	CI Report	<input type="checkbox"/>			
<input type="checkbox"/>	9202	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>			
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>			
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>			
<input type="checkbox"/>	Citation	<input type="checkbox"/>			
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>			
		Petitioners state that the mother is a meth addict and is unable and unwilling to provide care for the minor. She is currently on a drug binge and has once again left the minor in the maternal grandparents care. The minor was only recently returned to his mother's care, as the court terminated the previous guardianship in April 2014. The mother is unwilling and unable to stay clean and sober to provide for her child.			
		Court Investigator Julie Negrete filed a report on 10/15/14.			
				Reviewed by: JF	
				Reviewed on: 01/12/15	
				Updates:	
				Recommendation:	
				File 22 – Garcia	

23 Isidora Rangell (CONS/PE)
 Atty Amador, Catherine A (for Aristan Cruz – Petitioner – Son)
 Atty Walters, Jennifer L. (Court Appointed for Proposed Conservatee)
 Atty O'Neil, Patricia Bone (for Rebecca Diaz – Objector)

Case No. 14CEPR00954

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C.
 1820, 1821, 2680-2682)

Age: 86	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	ARISTAN CRUZ , son, is petitioner and requests appointment as Conservator of the person, with medical consent and dementia powers to administer dementia medication, and for appointment of Conservator of the estate with bond set at \$32,560.00.	Court Investigator Advised Rights on 11/07/2015
Cont. from 120114	Declaration of Kiran Reddy, MD, 10/22/2014 , states the proposed conservatee HAS the capacity to give informed consent to any form of medical treatment, and the proposed conservatee does NOT have dementia.	1. Petition is incomplete. Page 3 was not included which addresses the value of the estate.
Aff.Sub.Wit.		2. Need Video Receipt pursuant to Local Rule 7.15.8(A).
✓ Verified		3. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Conservator for:
Inventory		<ul style="list-style-type: none"> • Rebecca Diaz (Daughter) • Herman Rangell (Spouse)
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail	Estimated Value of the Estate - ?	
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.	Petitioner states: the proposed conservatee was diagnosed with dementia approximately 2 ½ years ago. As of 09/03/2014, her treating neurologist confirmed that she was not competent to handle her affairs, and that her condition is permanent and progressive. The proposed conservatee has a history of falling and health problems, in addition to her dementia, unfortunately her long-time partner Herman has been unable or unwilling to assist her appropriately when she fell or needed medical care. Petitioner describes an instance the proposed conservatee fell in her bedroom and was unable to get up, Herman was unable to assist her himself. Instead of calling for the proposed conservatee's son Jimmy, who resided down the hall, Herman called his daughter who refused to help. Herman then called the petitioner's sister who rushed to the home and called 911. The next day, Herman put a lock on the bedroom door so that Jimmy could not enter the room. Petitioner lists other instances where the proposed conservatee need medical attention and Herman failed to assist including a time the proposed conservatee overdosed on one of her medications.	
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt	X	
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
✓ Citation		
FTB Notice		
	<u>Please see additional page</u>	
		Reviewed by: LV
		Reviewed on: 01/12/2015
		Updates:
		Recommendation:
		File 23 - Rangell

Petitioner states that Herman is diabetic and his condition is not well managed. He often has periods of incoherence and even occasional blackouts. His eyesight has deteriorated severely due to his diabetes and he refuses to wear his hearing aids as well. He insists on continuing to drive and insists that the proposed conservatee accompany him frequently to be his "eyes." Herman also has a habit of leaving the proposed conservatee home alone for hours at a time. Petitioner believes this to be unsafe and inappropriate.

Petitioner states that the proposed conservatee and her long-time partner, Herman, had been residing in a home in Madera that the petitioner had helped her purchase in 2000. In July, Herman and his daughter, Rebecca, moved the proposed conservatee out of the Madera house and into a rental in Clovis. The family discovered the move after the fact, when Jimmy drove to the Madera house for a visit and found the home empty. The proposed conservatee told the petitioner that they had to move because petitioner was planning to sell the Madera house. Petitioner states he had no plans of selling the home and had never told her anything of the sort.

Petitioner states that he and his siblings have tried to visit their mother or to talk to her on her phone but have been discouraged from doing so. It was made clear to them by Herman and his daughter that they were not welcome. Petitioner states the proposed conservatee's phone has been turned off or taken away from her, and there is no land line.

Petitioner received a call from the proposed conservatee's neurologist, who informed him that his mother has missed her last four appointments and that, therefore, they would no longer provide care for her. The doctor's office contacted him because he has a durable power of attorney to make health care decisions for his mother. Petitioner feels his mother's health is in jeopardy.

Petitioner states following Herman and Rebecca's removal of the proposed conservatee from the Madera house, he did some checking on her finances. He obtained a history of her savings account back to May 2013. Her social security checks have not been deposited to that account throughout that time. Additionally, at least \$11,000.00 is missing from her savings account. Petitioner has learned that Rebecca filled out a number of checks in her own handwriting and, apparently, had the proposed conservatee sign them. These checks were to vendors such as Lowe's and were written in large amounts during the time Rebecca happened to be remodeling her own home. Petitioner also alleges that the deed to the Madera home has been changed to reflect that 1/3 share be deeded to Rebecca. Petitioner states he has no idea what happened to his mother's 2003 Crown Victoria. Petitioner is also concerned with the proposed conservatee's personal household furniture and furnishings as well as a large amount of jewelry that the proposed conservatee intended to leave to the women in her family.

Petitioner requests that he be permitted to move the proposed conservatee to his home in Florida, commensurate with the family's long term plan for the proposed conservatee's care. Once there he will act promptly to apply to the Courts of the State of Florida to create a Conservatorship of the person and the estate of Conservatee or its equivalent.

Attached to the Petition is a Durable Power of Attorney for Health Care that designates Aristan Cruz, petitioner, as the proposed conservatee's Power of Attorney signed 11/13/2006.

Please see additional page

Objection to Petition for Appointment of Conservator of the Person and Estate filed by Rebecca Diaz, on 11/24/2014, states she is one of the natural children of Isidora Rangell. She was not listed on the Notice of Hearing and only became aware of this petition from Isidora. Rebecca objects to the appointment of a conservator for Isidora. However, should the Court believe Isidora lacks capacity and a conservatorship is necessary, Rebecca objects to Petitioner Artisan Cruz (hereafter Stan) being appointed her conservator. Rebecca would request the Court appoint either Isidora's niece, Barbara Reid, or the Public Guardian as Isidora's conservator. Filed concurrently herewith is a Capacity Declaration executed by Isidora's primary physician, Kiran Reddy, M.D. Dr. Reddy denies that Isidora has dementia and finds that she has capacity to make informed decisions. Rebecca states that Isidora's short term memory fails her on occasion and may have some onset dementia. However, at this time, Isidora is able to recall recent events sometimes with a bit of prompting, is able to prepare meals for herself and her husband, Herman Rangell. She is able to make her own decisions as to where she wants to reside, her finances, and regarding her health care. A conservatorship or other type of caring for Isidora may be necessary at some but not right now and not to include a move to Florida with Stan. Stan has not resided in California for a number of years and has not visited with Isidora since 2013. He was last in California to visit Isidora in 2012 and Isidora went to Florida for two weeks in 2013. Stan cannot have personal knowledge of any of the matters.

- **Failure to Serve Isidora's Spouse** – one example of Stan's lack of personal knowledge of the matters contained in his Petition is his referral to Herman Rangell as Isidora's long-time partner. He knew or should have known that the two were married because he executed several Grant Deeds and at least one Deed of Trust for property owned by Isidora and Herman as husband and wife. Isidora Herman were married in 1999 (attached is a true and correct copy of their license and Certificate of Marriage).
- **Isidora's Health Issues** – Isidora does not have any known health issues other than vertigo. The incident with the polyps occurred two years ago. Rebecca was working but upon receiving the news rushed to the hospital to meet her sister Norma at the hospital. There was a fall that occurred in 2014 where Isidora fell on a small dog bed. No ambulance was called or other emergency medical assistance was necessary. However, the following day, after hearing of the fall, Rebecca took Isidora to Dr. Reddy and x-rays were taken. No injuries were discovered. In April Isidora did take an overdose of medication. Herman and Rebecca met with a mental health consultant with Madera Community Hospital to develop a safety plan for Isidora. The plan included that the medications were to be locked up and having Herman administer the medication. Herman faithfully follows the plan. Dr. Reddy has facilitated an appointment for Isidora with Kurt Miller, M.D. a neurologist, on January 16/2015, to further evaluate Isidora.
- **Move from Madera to Clovis** – Isidora's son Jimmy, resided with Isidora and Herman. Jimmy lived there rent free, including food purchased by Herman and Isidora. Jimmy has prior history of substance abuse and was emotionally and verbally abusive toward Isidora and Herman. Isidora cooked for and cleaned up after Jimmy. Jimmy was on their bank account and his social security check was deposited into that account along with Isidora's and Herman's social security checks. Jimmy used Isidora's and Herman's account freely and without consulting Isidora and/or Herman. He would use on-line bill paying directly from that account as well, promising to deposit money into the account to cover the bills, but did not always do so and Isidora would have to use her savings to cover those purchases and/or bills.

Please see additional page

Jimmy was asked to move out but he said that Stan wanted him there to take care of Isadora. Isadora became fed up with him after his verbal abuse and threats to hit Herman. Isadora and Herman became afraid to stay in the Madera house because of Jimmy and his children. Isadora decided she wanted to move to Clovis because she wanted to be closer to Rebecca and her doctors.

- **Ownership of the Madera Property** – While preparing for a small claims case Stan initiated against Herman, Isadora and Herman discovered that they no longer owned their home in Madera. Isadora and Herman purchased the Madera property in 2001. At the time of the original purchase, they were the sole owners and mortgage holders. Attached hereto is a true and correct copy of the grant deed granting the property from Timothy Dunn to Herman and Isadora, husband and wife as joint tenants, recorded on 07/05/2001, and a Deed of Trust, also recorded on 07/05/2001, by which Herman and Isadora, husband and wife, were solely liable for payment of the mortgage of \$140,000.00. On 01/22/2002, Stan had Isadora and Herman sign a new Grant Deed adding him as a joint tenant on the property along with Isadora and Herman as husband and wife. In 2009, Stan had Isadora and Herman sign another Grant Deed giving Stan sole ownership of the property but it was not recorded till September 2011. Stan requested that the property be refinanced in October 2011. At that time Herman severed the joint tenancy as to him and added Rebecca on this mortgage as a tenant in common with Herman. Stan signed the Deed of Trust for this refinance knowing that Isadora and Herman were no longer on title to the property and the Grant Deed and Deed of Trust were, therefore, outside of the chain of title. Herman and Isadora remained liable for payment of the mortgage. It is Rebecca's understanding that Isadora and Herman made the house payment from the date of original purchase until Stan's name was put on the title. Thereafter, Stan made the house payment. It seems to Rebecca that Stan took advantage of Isadora and Herman when they transferred the property to him without consideration and then he had them become liable for a debt they would never be able to afford.
- **Move to Florida** – Stan states in his petition that he intends to relocate Isadora to Florida. Rebecca objects as it would take her away from Herman, her husband of nearly 20 years and her partner for even longer than that. Isadora has resided in Fresno or Madera counties her entire adult life. She is familiar with her physicians, knows where she banks, and where the grocery store is. To transfer her to an unfamiliar environment, especially if she has dementia as Stan claims, is unnecessary and, in fact, would be detrimental to her. Finally, Rebecca has concerns about Stan's health. He recently admitted to having had a heart attack, for which he was in a convalescent care for several months, and two strokes which required convalescent care for over six months. It appears that Stan needs to care for his own health and would not be able to care for Isadora as she ages.

Court Investigator Jennifer Daniel's report filed 01/07/2015.

Pro Per Duarte, Alfredo M. (Pro Per Petitioner, maternal grandfather)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 1 year	NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
	ALFREDO M. DUARTE , maternal grandfather, is Petitioner.	1. Need Notice of Hearing.
	Father: FRANCISCO VARGAS ; Declaration fo Due Diligence filed 11/6/2014.	2. Need proof of personal service of the Notice of Hearing with a copy of the Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence, for:
Cont. from	Mother: ANTOINETTE DUARTE	<ul style="list-style-type: none"> Antoinette Duarte, mother.
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: <i>Not listed</i> Paternal grandmother: <i>Not listed</i>	3. Need proof of service by mail of the Notice of Hearing with a copy of the Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence, for:
<input checked="" type="checkbox"/> Verified	Maternal grandfather: <i>Not listed</i> Maternal grandmother: <i>Not listed</i>	<ul style="list-style-type: none"> paternal grandparents; maternal grandparents.
<input type="checkbox"/> Inventory	Petitioner states he is the only adult capable of providing a stable, healthy environment for the child.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen	Court Investigator Jennifer Daniel's Report was filed on 1/12/2015.	
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> Clearances		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: LEG
<input type="checkbox"/> Status Rpt		Reviewed on: 1/13/15
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 24 - Vargas

**25 Zenaida Clara Vargas, Joeleen Clarissa Munoz, Case No. 14CEPR01027
and Evangelina Sophie Pascual (GUARD/P)**

Atty Minjarez, Paula Medrano (Pro Per – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

		TEMP EXPIRES 1-15-15	NEEDS/PROBLEMS/COMMENTS: 1. If diligence is not found, need personal service of Notice of Hearing with a copy of the petition on Clara Munoz (mother) pursuant to Probate Code §1511.										
		PAULA MEDRANO MINJAREZ , Paternal Aunt of Joeleen, is Petitioner.											
		Father (Zenaida): ARMANDO VARGAS - Consents and waives notice	<table border="1"> <tr><td colspan="2">Reviewed by: skc</td></tr> <tr><td colspan="2">Reviewed on: 1-13-15</td></tr> <tr><td colspan="2">Updates:</td></tr> <tr><td colspan="2">Recommendation:</td></tr> <tr><td colspan="2">File 25 – Vargas, Munoz & Pascual</td></tr> </table>	Reviewed by: skc		Reviewed on: 1-13-15		Updates:		Recommendation:		File 25 – Vargas, Munoz & Pascual	
Reviewed by: skc													
Reviewed on: 1-13-15													
Updates:													
Recommendation:													
File 25 – Vargas, Munoz & Pascual													
<input checked="" type="checkbox"/>	Aff.Sub.Wit.	Father (Joeleen): JOE MANUEL MEJIA, JR. (Deceased)											
<input checked="" type="checkbox"/>	Verified	Father (Evangelina): MAURILIO PASCUAL, JR. - Consents and waives notice											
<input type="checkbox"/>	Inventory												
<input type="checkbox"/>	PTC												
<input type="checkbox"/>	Not.Cred.												
<input checked="" type="checkbox"/>	Notice of Hrg	Mother: CLARA MUNOZ - Declaration Re Diligence filed 1-8-15											
<input checked="" type="checkbox"/>	Aff.Mail	W											
<input type="checkbox"/>	Aff.Pub.	Paternal Grandfather (Zenaida): Unknown											
<input type="checkbox"/>	Sp.Ntc.	Paternal Grandmother (Zenaida): Maria Del Rosario Melendez - Consents and waives notice											
<input checked="" type="checkbox"/>	Pers.Serv.	W											
<input checked="" type="checkbox"/>	Conf. Screen	Paternal Grandfather (Joeleen): Jose Manuel Mejia - Consents and waives notice											
<input checked="" type="checkbox"/>	Letters	Paternal Grandmother (Joeleen): Federica Medrano Mejia - Consents and waives notice											
<input checked="" type="checkbox"/>	Duties/Supp												
<input type="checkbox"/>	Objections	Paternal Grandfather (Evangelina): Maurilio Pascual, Sr. - Consents and waives notice											
<input checked="" type="checkbox"/>	Video Receipt	Paternal Grandmother (Evangelina): Elsa Pascual - Served by mail 12-16-14											
<input checked="" type="checkbox"/>	CI Report												
<input checked="" type="checkbox"/>	Clearances												
<input checked="" type="checkbox"/>	Order	Maternal Grandfather: Rito Munoz - Served by mail 11-12-14											
<input type="checkbox"/>	Aff. Posting	Maternal Grandmother: Belia Hernandez - Consents and waives notice											
<input type="checkbox"/>	Status Rpt												
<input checked="" type="checkbox"/>	UCCJEA												
<input type="checkbox"/>	Citation												
<input type="checkbox"/>	FTB Notice	Siblings: Andrea Theresa Ortiz, Elena Ortiz, April Ortiz (Andrea and Elena served, diligence filed re April.) Minors Zenaida and Joeleen consent and waive notice. Petitioner states the children were removed from the mother by CPS. The children have always been in and out of her home and are comfortable staying in her home. Court Investigator Dina Calvillo filed a report on 1-9-15.											

Pro Per Garza, Rosalinda (Pro Per Petitioner, maternal grandmother)

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 16 years		<u>General Hearing set for 2/23/2015</u> ROSALINDA GARZA , maternal grandmother, is Petitioner. Father: CHRIS SIPPIN Mother: GINA CERVANTES Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: John Cervantes Petitioner states the child has been living with her since 3/16/2012, and the mother cannot be found and is currently unavailable to care for the child. Petitioner states the Department of Social Services has made a safety plan where she will take guardianship of the child. Petitioner states she is able to care for the child and will provide him with everything he needs.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of five (5) court days' notice by personal service of the Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence for: <ul style="list-style-type: none"> Gina Cervantes, mother; Chris Sippin, father; John Cervantes, proposed ward. 3. UCCJEA form filed on 12/17/2014 does not provide residence information for the last 5 years as required.
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: LEG
Reviewed on: 1/13/14
Updates:
Recommendation:
File 26 - Cervantes

27 **Neveah Musgrave & Lillie Musgrave (GUARD/P)** **Case No. 14CEPR01146**
Atty **Musgrave, Leon (pro per Petitioner/maternal great-grandfather)**

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Neveah age: 7		GENERAL HEARING: 2/24/15	NEEDS/PROBLEMS/COMMENTS:
Lillie age: 6			
		LEON MUSGRAVE , maternal great-grandfather, is petitioner.	1. Petitioner's Fee Waiver was denied on 12/19/14. Therefore filing fees of \$285.00 are now due (\$60 for the temporary petition and \$225 for the permanent petition).
Cont. from		Father: UNKNOWN	2. Need Notice of Hearing.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Mother: ASHLEY GOODWIN	3. Need proof of personal service of the Notice of Hearing along with a copy of the Temporary Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Unknown father(s) b. Ashley Goodwin (mother)
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Paternal grandparents: Not listed	
<input type="checkbox"/>	Not.Cred.	Maternal grandparents: Not listed	
<input type="checkbox"/>	Notice of Hrg	Petitioner states their mother cannot provide a safe and stable home for them. Nor can she provide for their care, needs and education. Petitioner states he has been their major caregiver since 2007.	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 1/13/15
			Updates:
			Recommendation:
			File 27 - Musgrave

Petition for Appointment of Temporary Conservator of the Person and Estate

			GENERAL HEARING 2-2-15	NEEDS/PROBLEMS/COMMENTS:
			CATHERINE MARY KELLEY , Daughter, is Petitioner and requests appointment as Temporary Conservator of the Person and Estate without bond.	Court Investigator advised rights on 1-6-15.
			Petitioner also requests authority to change the Proposed Conservatee's residence during the temporary conservatorship.	1. Need Notice of Hearing.
	Aff.Sub.Wit.		Estimated value of estate:	2. Need proof of personal service of Notice of Hearing at least five court days prior to the hearing pursuant to Probate Code §2250(e) on the Proposed Conservatee Richard Joseph Shannon.
✓	Verified		Personal property: \$ 3,000.00	3. Need proof of service of Notice of Hearing at least five court days prior to the hearing on all relatives pursuant to Probate Code §2250(e).
	Inventory		Annual income: \$20,400.00	4. Petitioner requests appointment without bond; however, bond is required, including cost of recovery, pursuant to Probate Code §2320(c)(4) and Cal. Rule of Court 7.207.
	PTC		Cost of recovery: \$ 2,340.00	5. The Court may require clarification regarding the request to change the proposed conservatee's residence, as the petition is blank at #6a. Where does Petitioner propose to move him?
	Not.Cred.		Total: \$25,740.00	6. Need order, including copies to conform.
	Notice of Hrg	x	Petitioner states: Cannot cooperate with a plan to meet his basic needs. See Capacity Declaration. Does not have capacity and willingness to sign a power of attorney naming someone to help with his finances or health care decisions. Is married, but the spouse cannot handle financial transactions as she recently had a stroke and is moving from the family residence. Petitioner requests appointment without bond because she has been appointed successor executor of both of her parents' wills and both have waived bond. Petitioner does not believe her father would require that she serve as conservator of his person and estate with a bond.	
	Aff.Mail	x		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	x		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
	Order	x		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Court Investigator Julie Negrete filed a report on 1-7-15.	
				Reviewed by: skc
				Reviewed on: 1-13-15
				Updates:
				Recommendation:
				File 28 - Shannon

Atty Jaech, Jeffrey, of Baker, Manock & Jensen (for Executor Ben Kohrman)

Probate Status Hearing Re: Filing Inventory & Appraisal

DOD: 7/24/2014	BEN KOHRMAN was appointed Executor with Full IAEA authority with bond of \$318,000.00 on 9/11/2014.	NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR Final Inventory and Appraisal was filed 1/13/2015.
Cont. from	Proof of Bond in the sum of \$318,000.00 was filed on 9/26/2014.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory	Letters issued on 9/26/2014.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Pursuant to Probate Code § 8800(b) , <i>Final Inventory and Appraisal</i> is due 1/26/2015 .	
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail	Minute Order dated 9/11/2014 from the hearing on the petition for probate set the matter for a Status Hearing on 1/15/2015 for filing of the final inventory and appraisal.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 1/13/15
		Updates: 1/13/15
		Recommendation:
		File 29 - Riba

30A Rosie Reyna (CONS/PE)**Case No. 13CEPR00908****Atty LeVan, Nancy J. (for Julie Castillo and Connie Martinez)****Atty Teixeira, J. Stanley (Court Appointed for Conservatee)****Atty Kruthers, Heather H (for Public Guardian/conservator of the estate)****Probate Status Hearing RE: Filing Inventory & Appraisal**

Age: 80 years	PUBLIC GUARDIAN was appointed conservator of the estate on 9/16/14.	NEEDS/PROBLEMS/COMMENTS:
	Order appointing the Public Guardian as conservator of the estate was signed on 11/4/14.	1. Need inventory and appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from	Letters issued on 9/17/14.	
Aff.Sub.Wit.		
Verified	Minute order dated 9/16/14 appointed the Public Guardian as Conservator of the estate and set this status hearing for the filing of the inventory and appraisal.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 1/13/15
		Updates:
		Recommendation:
		File 30A - Reyna

30A

30B Rosie Reyna (CONS/PE)**Case No. 13CEPR00908**

Atty LeVan, Nancy J. (for Julie Castillo and Connie Martinez)
 Atty Teixeira, J. Stanley (Court Appointed for Conservatee)
 Atty Kruthers, Heather H (for Public Guardian/conservator of the estate)
 Atty Reyna, Joseph (pro per son)

Probate Status Hearing RE: Status on Agreement

Age: 80 years	JULIE CASTILLO and CONNIE MARTINEZ , daughters, petitioned the court requesting appointment as Co-Conservators of the person and estate of their mother. Son, JOSEPH REYNA filed objections to the appointment of Julie Castillo and Connie Martinez as conservators of the person and estate. The court set the matter for trial. On the date set for trial (9/16/14) counsel for the parties stated they had come to an agreement. The court appointed the Public Guardian and set this status hearing re: Status on Agreement. The PUBLIC GUARDIAN was appointed conservator of the estate on 9/16/14.	NEEDS/PROBLEMS/COMMENTS: 2. Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 1/13/15
		Updates:
		Recommendation:
		File 30B - Reyna

30B

Atty Magness, Marcus; Janisse, Ryan; of Gilmore, Wood, Vinnard & Magness (for Petitioners
Tim Quirk and Laurel Scholar, Successor Co-Trustees)

**Petition for Order: Determining Interest in Trust Property; Compelling Former
Trustee to Deliver Property to Trustees; and Requiring Former Trustee to Account**

DOD: 6/16/2010		<p>TIM QUIRK and LAUREL SCHOLAR, accountants of the Decedent and Successor Co-Trustees, are Petitioners.</p> <p>Petitioners state:</p> <ul style="list-style-type: none"> On 7/13/2000, Alan Boyajian, as Trustor and Trustee, created the ALAN BOYAJIAN LIVING TRUST OF 2000 (copy attached as Exhibit 1); Alan Boyajian amended the Trust as follows: First Amendment on 7/1/2008 (copy attached as Exhibit 2); Second Amendment on 5/4/2010 (copy attached as Exhibit 3; and Third Amendment on 5/11/2010 (copy attached as Exhibit 4); The Trust terms provide that LEE KLEIM, Decedent's business partner, shall serve as the sole Successor Trustee, and in the event he is unable or unwilling to serve, then SUSAN L. MOORE and LAUREL SCHOLAR shall serve as successor co-trustees; in the event either of them is unable or unwilling to serve, then TIM QUIRK shall serve with the remaining individual; LEE KLEIM accepted the office of Trustee and served in such capacity from date of Decedent's death until his resignation on 2/13/2013 (copy of resignation attached as Exhibit 5); Subsequently, LEE KLEIM denied signing the resignation; LEE KLEIM later voluntarily signed a second resignation which was prepared and notarized by SUSAN L. MOORE (copy attached as Exhibit 6); <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proposed order pursuant to Local Rule 7.1 which provides a proposed order shall be submitted with all pleadings that request relief.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order X		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 1/14/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 31 - Boyajian</p>	

Petitioners state, continued:

- **SUSAN L. MOORE** declined to act as successor co-trustee (*copy attached as Exhibit 7*);
- **TIM QUIRK** and **LAUREL SCHOLAR** ("Co-Trustees") accepted the office of co-trustees on 2/26/2013 and have been acting as successor co-trustees since such time;
- Co-Trustees acted as the accountants for Decedent during his life and for the Trust after his death, and are aware of and have access to various issues with the Trust administration that would not readily be available without such familiarity;
- Decedent and **LEE KLEIM** were business partners, and they formed a number of entities as follows:
 - LA JOLLA GROUP II GENERAL PARTNERSHIP – Decedent and Kleim were general partners (the General Partnership);
 - LA JOLLA GROUP II MANAGEMENT, INC. – Decedent and Kleim formed this corporation (the Corporation);
 - LA JOLLA GROUP II LIMITED PARTNERSHIP – Decedent and Kleim formed this partnership with the La Jolla Group II Management Corporation as the general partner, and Decedent and Kleim as Limited Partners (the Limited Partnership); subsequent to its formation, the Limited Partnership was never capitalized and the initial and final tax return showing zero activity was filed in 2010; the Limited Partnership was then dissolved and the assets of the General Partnership were transferred to the Corporation of which Decedent and Kleim held equal shares;
 - ASSIGNMENT OF BUSINESS INTERESTS TO TRUST – Decedent assigned all of the above business interests to the Trust (*copy of assignment attached as Exhibit 8*).
- **Dual Role as Trustee and Corporate Owner:** Upon Decedent's death, **LEE KLEIM** became the sole officer/director of the Corporation; he also became the Trustee of the Trust; this arrangement created numerous conflicts of interest; Kleim treated the entity as his alter ego;
- While Kleim was removed from involvement in the Corporation due to lack of capacity, his family is now operating it on his behalf;
- **Purchase of Corporation and Limited Partnership:** Pursuant to a Buy Sell Agreement executed by Kleim and Decedent before Decedent's death, the Decedent's Limited Partnership interest was to be purchased for **\$375,000.00** at his death;
- Kleim in his individual capacity, as Trustee of the Trust, as President and Secretary of the Corporation and the Limited Partnership, entered into an agreement memorializing the fact that the Limited Partnership was never capitalized (*copy of unexecuted agreement attached as Exhibit 9*);
- The Trust's interest in the Corporation was purchased outright for **\$12,500.00** and the Trust's interest in the Limited Partnership (which had been transferred to the Corporation) was purchased by Kleim for **\$375,000.00** from the Trust (*copy of the Promissory Note evidencing the sale of the Limited Partnership attached as Exhibit 10*);
- While the Trust's interest in the Corporation was purchased outright for **\$12,500.00**, Kleim has been making interest-only payments at **4.5%** on the purchase of the Trust's interest in the Limited Partnership (which had been assigned to the Corporation) in spite of demand therefor;
- Kleim has never provided any documentation in connection with the purchases or the original executed note;

~Please see additional page~

Petitioners state, continued:

- **Promissory Notes:** The Co-Trustees are aware of at least three transactions under which the Trust lent its assets to the Corporation:
 - **Loan of \$263,388.39 in connection with real property on 1521 E. Fedora, Fresno** (*copy of unsigned promissory note attached as Exhibit 11*); the Fedora loan is due 7/1/2015; interest payments were made on the Fedora loan from 8/1/2008 through 5/3/2010, but ceased at Decedent's death;
 - **Loan of \$100,000.00 in connection with real property on 3767 E. Huntington, Fresno** (*copy of unsigned promissory note attached as Exhibit 12*); the Huntington loan was due 3/2/2010; no payments were ever made on the Huntington loan and the property was sold in May 2009;
 - **Loan of \$50,000.00 in connection with real property on 437 Keats, Clovis;** the Corporation's employees indicate there was no written note for this transaction but it was carried on Corporation's books as a book account; no payments were ever made on the Keats loan.
- Kleim has taken the position that because no deeds of trust were recorded to secure repayment of the loans, that the obligations do not exist; both Kleim and Corporation refused to provide information in connection with these obligations;
- **Violation of Buy-Sell Agreement:** Pursuant to the agreement entered into by Kleim and the Trust, any distributions to Kleim or his family members in excess of **\$5,000.00** per month require a corresponding distribution to the Trust of an equivalent amount or be applied against the principal of the promissory note; Co-Trustees requested an accounting of all distributions and compensation to Kleim and his family members from the Corporation and from Kleim himself; all assert no such payments were made in excess of **\$5,000.00**, but refuse to provide any information to substantiate their claim;
- **Unsecured loan to Corporation of \$100,000.00:** At the time this loan from the Trust to the General Partnership was made in 2008, Decedent told General Partnership accountants (the Co-Trustees) that he and Kleim each loaned **\$100,000.00** to the General Partnership; at the time of this explanation by Decedent, Kleim knew of and did not dispute the representation; despite requesting information and documentation about this loan, Kleim has not provided anything in connection with this loan and now even disputes that the loan ever existed;
- **Co-Trustees, through their attorney, sent Kleim and the Corporation a formal request to provide information;** the request was prompted by several holes in the information and documentation turned over to the Co-Trustees by Kleim; Co-Trustees there are valuable Trust assets which have not been delivered to them and suspect Kleim committed multiple breaches of trust; Kleim breached his fiduciary duties as Trustee and now intends to obfuscate these breaches by refusing to account and deliver the requisite documentation;
- **Kleim has Trust assets he refuses to turn over; if he does not have Trust assets, they are held by the Corporation as a result of Kleim treating the Corporation as his alter ego;**
- **Request for Relief:** [Citations to Probate Code omitted; please refer to prayer set forth on Third Additional Page];

~Please see additional page~

Petitioners pray for an Order that:

1. **LEE KLEIM** be ordered to file an accounting with the Court within 60 days of hearing on this *Petition*;
2. **LEE KLEIM** be required to deliver all Trust assets to the Co-Trustees within 15 days of hearing on this *Petition*;
3. The Corporation be required to deliver all Trust assets in its possession to the Co-Trustees within 15 days of hearing on this *Petition*;
4. **LEE KLEIM** be required to deliver all information, documentation, and records for the Trust he has in his possession within 15 days of hearing on this *Petition*;
5. The Corporation be required to deliver all information, documentation, and records for the Trust it has in its possession within 15 days of hearing on this *Petition*;
6. **LEE KLEIM** be found to have wrongfully held Trust assets and therefore required to pay twice the value of such assets; and
7. **LEE KLEIM** be required to pay Petitioners reasonable attorney fees and costs associated with bringing this *Petition*.

Petition for Visitation

		JESUS N. GONZALEZ, Father, filed this Petition for Visitation on 5-7-13.	NEEDS/PROBLEMS/COMMENTS: Minute Order 1-12-15: The Court orders Ms. Ibarra to cancel the 1-13-15 counseling appointment. Mr. Gonzalez is to determine whether or not his insurance will cover counseling at the Sullivan Center. Parties are to make a new appointment that both are able to attend and report all information back to the Court on Thursday. Matter continued to 1-15-15.	
Cont. from 061113, 073013, 091013, 100813, 121313, 030314, 042114, 062314, 081814, 111714, 011215				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/o
	Aff.Pub.			
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	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 1-12-15	
			Updates:	
			Recommendation:	
			File 32 – Rodriguez	